

April 12, 2016

Re: HB 5521, SB 483, and SB 485

To the House Judiciary Committee:

My name is Andrew Bronstein. I graduated from the University of Michigan in 2008 and from the University of Michigan Law School in 2014. At Michigan Law, I was a student attorney in the Legislation Clinic, where my peers and I assisted in developing a package of child welfare bills, which passed the Senate with near unanimous support in 2014 and unanimous support in 2015. Three of these bills are before your committee: HB 5521, SB 483, and SB 485. I write today in my personal capacity to ask for your support of this legislation, which, if enacted, would promote the healthy development of foster children by preserving family connections.

These bills address critical gaps in Michigan's child welfare system and have been supported by the Department of Human Services and the Children's Law Section of the Michigan Bar Association. The major child welfare stakeholders in Michigan, including the Judges Association and the Ombudsman's Office, were also part of the drafting and review process.

HB 5521 and SB 483 protect the bond between foster siblings. Up to 75 percent of siblings are separated when they enter the foster care system. This adds an unnecessary trauma to the foster child's already challenging upbringing. By amending child welfare laws to require the court to simply consider the question of sibling contact and placement together, the Michigan Legislature could provide foster children with a critical source of stability and an important partner for social-emotional development.

SB 485 preserves the bond between a foster child and a non-custodial parent. In a decision that undermined longstanding legal practice and statutory interpretation, the Michigan Court of Appeals made it easier to suspend parental visitation during a child welfare case. Noting the absence of statutory language to the contrary, the court in *In re Laster* held that trial courts have wide discretion to determine whether parenting time is in the best interest of the child. Previously, the court could suspend parenting time only upon finding that visits could cause the child harm. SB 485 would clarify parenting time rules by codifying the practice prior to *Laster*. It would make harm test mandatory both prior to adjudication and at disposition.

In promoting the healthy development of children, few things are as important as the preservation of family ties. That is why I write today to ask for your support of HB 5521, SB 483, and SB 485. Thank you for your consideration.

Sincerely,

Andrew Bronstein